STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
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October 3, 2000

Mr. Larry Tucker
Engineering Field Activity, NW
19917 7th Avenue NE
Poulsbo, WA 98370-7570

Dear Mr. Tucker:

Re: Ecology's Response to EFA-NW's Comments of August 18, 2000

Ecology is providing these comments as a response to EFA-NW's comments of August 18, 2000. In those comments EFA-NW was responding to Ecology and other stakeholder's comments on the Site Hazard Assessment for the Gorst Creek Landfill, dated March 28, 2000.

Ecology has appreciated the cooperation of the Navy on the project. However, we were dismayed to hear during the teleconference of September 21, 2000, that the Navy's position on the applicability of industrial cleanup standards at this site is so firm that the Navy would cease to participate cooperatively in the cleanup of this site. Ecology's position is that it would be in the best interest of all parties for the Navy to continue in the spirit of cooperation. Therefore, we ask the Navy to rethink its position.

It is difficult for Ecology to understand the Navy's position on the application of industrial cleanup standards at this site. The presumptive remedy for this site is to cap the landfill and provide long term monitoring of the groundwater. Unless the RI provides information that would guide the remedy selection in another direction, that presumptive remedy will be chosen. The use of industrial standards will not reduce the cost of that remedy significantly because the landfill would still need to be capped and groundwater monitoring implemented even if industrial cleanup standards were applied.

Please review the enclosed comments. After your review, I would appreciate an opportunity to discuss our divergent points of view. You may contact me at (360) 407-7240.

Sincerely,

Peter C. Brooks, P.E.
Project Manager

PB:gj
Enclosure

cc: Mike Dunning (AAG)
Jan Brower (Kitsap Co. Health)

Response to August 18, 2000 Comments on Ecology's Comments on the Gorst Creek Landfill Site Hazard Assessment

The comments are numbered to correspond with the original comments and the Navy's August 18, 2000 response to those comments.

G-1: The issue in dispute is whether "industrial" or "residential" property designation is appropriate for this site under the Model Toxics Control Act (MTCA). The Navy points out that the property is presently zoned as "urban reserve" and that MTCA regulations provides that a site does not have to be zoned with a designation of "industrial" to qualify for that designation. MTCA regulation goes on to describe six characteristics that would qualify a site for industrial classification (WAC 173-340-745 (1) (a) (i)). Among the characteristics are: that the site has controlled access so that the general public is not allowed on the property (i.e. the general public is not likely to be exposed), that operations are often characterized by use and storage of chemicals, noise, odors and truck traffic (i.e. there is an active industrial "look and feel" to the site), and that the surface of the land is often covered with paving or buildings (i.e. exposure of the soil is minimized). When those standards are applied here, the subject site fails all three of these tests: First, the site is not completely fenced and the public can gain ready access to the eroding landfill mass. Second, there are very limited commercial activities on the property and the landfill portion has no activity occurring and no auto parts stored thereon. Finally, there are very little paving or buildings on the property and the landfill portion has no paving or buildings on it.

The Navy's response describes adjacent land uses. It appears that those comments are in response to Ecology's observation that most of the surrounding properties are residential. In MTCA regulations (WAC 173-340-745 (1) (c)) Ecology sets forth its expectations regarding industrial designation. It is in relation to those expectations that the observation that adjacent properties are residential (i.e. would also not designate as industrial) was made. It is easier to make the case that a property is industrial when it is in an industrial setting (e.g. the Tacoma tide flats or Harbor Island) than when it is the sole industrial property. The lack of extensive industrial development in the vicinity of the subject site adds to the difficulty in designating it as industrial.

In summary, I am unaware of any sites with the character of this one that have designated as industrial. I am, however, aware of sites that to a much greater degree approached fitting the industrial designation that have not been so designated. Consequently, Ecology considers this site, for the purpose of setting cleanup standards, to be residential.

G-2: The subject site is a landfill that has not been properly closed and is eroding. In addition, the Site Hazard Assessment (SHA) found PCB in the soil above the applicable regulatory standard. In addition, the results of other analysis were inconclusive due to the laboratory detection levels being too high. Consequently, the site can not receive a determination of "no further action" (NFA). SHAs are typically performed by PLP's in order to obtain a NFA determination from Ecology. When a site fails to receive a NFA, the ranking of the site serves to prioritize the site for future work. In this case, the landfill is failing and future work is inevitable and arguably time critical. Given the analytical difficulties in the SHA and the inevitable need for remediation, Ecology is having difficulty understanding the Navy's position regarding having the site ranked. We fail to see what practical difference it would make if the site ranked "1" or "5" with regard to the chemical risk, for example, when it is obvious that work must occur to address the health and physical hazard posed by the eroding landfill. We would appreciate clarification from the Navy explaining what would be gained by ranking the site once sufficient data was available from the remedial investigation.

G-3: There has yet to be a hydrogeological assessment of this site. It is therefore not yet clear whether the water in the creek is representative of groundwater beneath and down gradient of the landfill or in what way it might be representative for a given contaminant. For example, it is not known at present whether the creek water is a 10-fold dilution of contaminant X or a 100-fold dilution. In addition, the Navy indicated in its response to Ecology's comment S-3 that in June there was a flow of approximately 10 gallons per minute 100 feet upstream of the landfill, no flow going into the atrium drain at the upstream side of the landfill, and a flow of 4 gallons per minute flowing out of the pipe at the base of the landfill. This would indicate that the creek has gaining and losing reaches in the vicinity of the landfill. This data would refute the notion proposed by the Navy that the creek is only a gaining stream in the vicinity of the landfill. Of course, without the installation of groundwater wells and a proper hydrogeological assessment, it is not possible to know much about the relationship of groundwater to the creek. Regardless, Ecology was merely acknowledging in the original comment that groundwater some distance from the site does not appear to be contaminated.

G-4: The Navy appears to be misrepresenting the original comment. The comment was that the surface water quality impacts identified upstream of the landfill "may not be the Navy's responsibility". This is quite different than stating that they "are not the Navy's responsibility". It is possible that the extent of the site is presently misunderstood and that the current or prior owners of the property and/or operators of the landfill placed, or caused to be placed, contaminants upstream of the identified landfill mass. Consequently the extent of the site may, in the course of a remedial investigation, come to be redefined and the surface water quality impacts detected may, in fact, be due to conditions present on the redefined site.

S-1: For the reasons given in G-1 above, Ecology considers the applicable site cleanup standard to be residential. Furthermore, since landfills are complex sites and have the potential for numerous contaminants, the correct standard is MTCA residential Method B, not Method A (See WAC 173-340-704). On this basis, the PCB found in the landfill surface soil in samples GL-SS-03, GL-SS-04, and GL-SS-05, which were 0.37mg/kg, 0.56 mg/kg, 0.14 mg/kg respectively, is in excess of the MTCA Method B PCB cleanup standard of 0.13mg/kg.

S-2: Ecology was noting in this comment that total mercury above the PQL and the Surface Water Quality Standards was found upstream of the landfill mass. It is agreed that the concentration of total mercury was lower (by how much can not be determined) down stream of the landfill. The presence of mercury in excess of the standard raises questions, for example, is there a source of mercury upstream of the site that is unrelated to the site or has the extent of the site been misidentified?

S-3: Ecology was pleased to learn that the original surface water pH data could have been in error. However, at 8.4, the pH obtained at the upstream sampling point is still uncharacteristically high for a stream in western Washington. This is additional evidence, along with the surface water mercury data, to suggest that there is a source of contamination upstream of the landfill mass. In addition, it is noteworthy that the surface water pH decreased to 7.0 immediately below the landfill. This would indicate that acidity is entering the creek/groundwater as it travels beneath the landfill and that the landfill may be the source of this acidity.

GORST CREEK LANDFILL
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